

SENATE BILL 2050

By Haile

AN ACT to amend Tennessee Code Annotated, Title 36,  
Chapter 6, Part 1; Title 37 and Section 39-13-306,  
relative to children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as "Noah's Law."

SECTION 2. Tennessee Code Annotated, Title 36, Chapter 6, Part 1, is amended by  
adding the following as a new section:

(a) If a custody, parentage, child support, or dependency and neglect  
proceeding is pending before a court and the noncustodial parent fails to return the child  
to the custodial parent in accordance with the current visitation order or parenting plan,  
then the custodial parent may file a motion with the court for an emergency order  
declaring the child to be in imminent danger of serious bodily injury or death and  
ordering the noncustodial parent to return the child.

(b) The court shall issue an order declaring the child to be in imminent danger of  
serious bodily injury or death and ordering the noncustodial parent to return the child to  
the custodial parent immediately if the court finds:

(1) The custodial parent and the noncustodial parent are parties in a  
custody, parentage, support, or dependency and neglect matter currently  
pending before the court;

(2) The noncustodial parent failed to return the child to the custodial  
parent on the date and time specified in the current visitation order or parenting  
plan;

(3) At least forty-eight (48) hours have passed since the noncustodial parent was to have returned the child to the custodial parent under the current visitation order or parenting plan; and

(4) The noncustodial parent has:

(A) Failed to contact the custodial parent within the past forty-eight (48) hours; or

(B) Has failed to return the child to the custodial parent.

(c) As used in this section, "custodial parent" means the parent with whom the child resides more than fifty percent (50%) of the time.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.